

# THE CALCUTTA JOURNAL

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Literature, Science and the Arts.

[No. 195.]

Although our pages of to-day are professedly devoted to Literature, Science, and the Arts, we cannot omit to announce to the Friends of free-discussion and of popular rights, that the Meeting held yesterday at the Town Hall, was attended by the most respectable members of the British community of this city, to the number of nearly four hundred persons; and that greater temper,—more impartial investigation,—unanimity in the object for which the Meeting was convened,—or more hearty participation in the general feeling of joy at its successful issue,—were never displayed, within the memory of any individual present, than on this occasion.

We shall not presume to offer an abstract of Proceedings, so interesting to every Englishman, notwithstanding the attempts made to undervalue their importance; but prepare, with as little delay as possible, a full Report of the Speeches, Conversations, Resolutions, Amendments, Protests, and final determinations of the Meeting, as we can accomplish; and to this end we invite all those Gentlemen who offered to the Assembly their sentiments, whether in favor of or against the question at issue, to furnish us with as accurate reports of what fell from them, as their recollections will admit, that we may be enabled to compile and arrange as faithful and impartial an Account of the whole, as these documents will enable us to effect: for, whatever our own sentiments may be on the subject, we desire still to maintain that character for fidelity and impartiality, which this Journal has acquired, notwithstanding the attempts made by two individuals at the Meeting in question to deny its title to this distinction, which were repelled by the general acclamation that followed a denial of this charge, from the person accused of shamefully attempting, through its columns, to poison or warp to bad purposes, the general feeling of the public mind.

Though we postpone the details, we cannot delay to state those leading facts; that amid all the assertions, the arguments, the protests, and the opinions uttered on this occasion—the most devoted attachment to, the most exalted veneration for,—and the most unequivocal sense of the justice, liberality, and indulgence of—the Supreme Government, both here and at home, were manifested by loud and reiterated applauses, whenever their authority was in any way adverted to.

The personal characters, the private virtues, the general purity and benevolence of the Individuals whose public conduct as Vestrymen, was under examination, and whose public acts in that capacity were held to be unauthorized and unjust, were also unanimously held to be entitled to the highest respect and esteem.

Finally, The general objects of the Meeting were accomplished to the fullest extent; and the broad principles of political and civil rights, on which they were founded, were most happily illustrated, and most ardently advocated and maintained.

As the details will necessarily take some time to prepare for publication, it will not be deemed irrelevant, perhaps, to offer to our readers, in lieu of these, the substance of a very full and able Paper, from a recent Number of a deservedly popular publication, the *Pamphleteer*, "On the best means of promoting the fundamental principles of the English Constitution;" conceiving, as we do, that after the triumphant issue of the Meeting of yesterday, it will be read by all those, who feel an interest in and an attachment to the principles on which the Resolutions of the Meeting are founded, with infinite satisfaction. The condensed substance of the Paper, is as follows:—

*On the best means of promoting the fundamental principles of the English Constitution.*—By G. Dyer, B. A. Formerly of Emanuel College, Cambridge.

Hobbes sets out, in his "Philosophical Elements concerning a Citizen," with observing, that "if in those matters on which we speculate for the sake of exercising our genius, any error is introduced, no loss, but of our time ensues; but that in our meditations which relate to the purposes of life, not only from our error, but our ignorance, necessarily must arise, offences, quarrels, and violent deaths."

Locke seems to have started from nearly the same point, if one may judge by the quotation from Livy, prefixed to his Treatises on Government, and was evidently much indebted to Hobbes for some principles; but they were urged on by different impulses, and took different directions: Hobbes, on seeing the horrors of a civil storm, thought quiet was to be found only under arbitrary power; Locke, as seeing a storm passed, thought peace and liberty could be secure only under the revolution.

Algernon Sidney, and Harrington, had previously taken nearly the same course as Locke, though under different circumstances; and they took a different course from Hobbes, though under circumstances nearly similar.

The opinions, professions, and conduct of men, are as necessarily influenced by causes, as the events which take place in civil society; and we must estimate the writings of men in the same manner. Thus in the

writings of Bacon and Hobbes, judging from the principles laid down, or the occasional concessions introduced in the writings of those philosophers, I infer, that some of their opinions took an impulse from their relative situations, from the circumstances of the times, more than from the genuine impulse of their own great minds, or from following the order of their own systems. And this is the most candid account that can be given of the matter, in cases where the principles of civil liberty and of arbitrary power are intermingled, like contradictory masses amalgamated in one body, in the same system.

Burke was a striking example of this vacillating state of mind. Whether, as another person spoke of himself, he could not afford to keep a conscience, and should always yield to expediency. I do not inquire; but he was certainly a political engineer, full of manœuvring powers; taking his stand often in opposite points, moving in opposite directions, and pursuing his operations by such contradictory designs, that he hardly seemed the same man; at one time laying down natural laws and fundamental principles, pleading for liberty against power and the usurpations of political establishments, for reforms against public abuses and unconstitutional influence. Then again he rallies:—behold him pleading for power against liberty, for the usurpations of establishments against the laws of nature; for the continuance of corruptions in defiance of his own high demands; for the independence of parliaments; and for the support of an influence, which he had before denounced as having increased beyond all due bounds, and as being unconstitutional! Such was the political progress of Mr. Burke's mind, from the American War, to that epoch in the French Revolution which he lived to witness.

In speaking on the principles of civil government, it is usual to appeal (as in the present case) to philosophers and politicians. But it is not necessary to play the politician or philosopher. Those principles, which ought to govern societies of men, are deducible only from our wants, and appeal to that *divine light*, that *lighteth every one that cometh into the world*, the primitive reason of man: they are not difficult to ascertain, nor difficult to be understood. Our base interests and passions, our prejudices and superstitions, may throw a mist before us; and the impostures of governments may involve us in mysteries and darkness; but let us feel our proper wants, and, in the exercise of reason, we shall not mistake our way.

And however arduous, and almost impossible, it may appear, to purify masses of society, immersed in the errors of government, yet, let individuals but know themselves, with their relative state in society, and their duties become clear; reason points out their duty, and their duty is supported by reason; man should do what is right, and not be troubled about consequences, often rashly deduced by sophistry:

Act well your parts, the rest belongs to Heaven.

Yes! be the issue what it may, our present duty is clear. It is our duty as men, as citizens, as Britons, to assert and propagate our natural rights and civil privileges, as being happily for us at present, the basis of British liberty; and whatever changes our Constitution may undergo in its future course, may it still be cemented by such principles, like those English vessels, which, though composed of different timbers, derive their principal strength from the British Oak!

We proceed then to consider the best means of promoting the great fundamental principles of our Constitution; and in doing this there is no necessity for repeating those principles; but just to hint, that as they relate to every individual in the state, every individual in the state should feel an interest in them; and, that though no distinctions, merely nominal or accidental, will fall under our present view (at least in the way of criticism or discussion), yet that every individual under those nominal, accidental distinctions, is bound to give those fundamental principles his support.

And first; as the church has been shown to be a part of our constitution, it follows, that the clergy, or ministers of that church, are obliged to support and promote what is so essential to the constitution, both from interest and gratitude: from interest,—because to the state (which word I use here in the sense of constitution) they must look for the support of the church's revenues; when that support fails, their temporalities are no more, and from gratitude, because they are in the relation of receiver to giver; for according to the present state of things, their revenues are not the private property of the church, but a donation from the state, or, which is the same, in this case, from the crown; and, of course, from civil obligations they are bound to civil duties: and how can they discharge their duties to a constitution better, than by promoting that part which is essential and fundamental?

This obligation appeared so reasonable, so indispensable, to our ancestors, that it was not deemed sufficient for the prelates and clergy originally to confirm Magna Charta, (while holding lighted torches in their hands they recited a most terrible curse against the violators of it,) but the clergy were even obliged to bring forward Magna Charta to the remembrance of

the people, by reciting that golden clause, as it has been called, in the church, that "no man be TAKEN but by legem terre,"—by common law, &c.—with anathemas against the impugnors of it; the whole proceedings in which case are preserved in ancient records.

Our ancestors were not afraid of mingling wholesome constitutional politics with their theology: and accordingly, in our oldest laws, the leading moral rules of the scripture are intermingled with the most prominent parts of the common law, as already observed.—Our ancestors seemed to have considered our fundamental principles as a rich fragrance, or sacred emblem, like the holy oil on Aaron's garments.

Under what authority the clergy have ceased to read these sacred mementos to their congregations, and to give the salutary stimuli of clerical admonition, I shall not inquire; but I cannot help remarking, that as that ancient provision illustrates the propriety of the practice, so the learning, the dignity, what some would call the sacredness, attached to the office, and the familiar intercourse which should subsist between the clergy and the people, ought to render the clergy peculiarly fitted for the office of transfusing the first principles of our constitution.

It cannot be denied, that the clergy have been, too often, the advocates for arbitrary power; and that their sermons have frequently breathed a spirit very different from that of English liberty. This is too true; and as the station of the clergy gives them great influence in the community, cannot be too much lamented. But let us still do justice: since the Revolution, the writings of the clergy have, many of them, caught a tone from Locke. And what friend to constitutional liberty, who has perused the works of Burnet, Headley, Sykes, and Blackburne, has not derived pleasure and instruction from them? Bishop Hurd's Dialogues on the very subject of these essays—the English Constitution, we have had occasion to refer to, before; and it is an excellent work, founded on true constitutional principles; and many others, as excellent, might be pointed out. What religious doctrines, and rites, sacraments, and discipline, the established clergy may think it their duty to support, as teachers in a religious community, is totally unconnected with the present subject: what concerns religion becomes an affair of conscience, which only religion addresses; but what is of a nature merely civil (as what we are now treating of, is) addresses other feelings, and the duty arises from other obligations: and so to proceed.

The same influence which the established clergy have over their flock, dissenting ministers have over theirs; and they are not merely to be justified in using it to promote the fundamental principles of English liberty—they seem, by the most weighty considerations bound to do so. To these fundamental maxims they owe much, and to them they should look for more. In the exact proportion as their complaints against corporations and test laws are just, should be their zeal in promoting the fundamental principles of the English constitution: for those principles are favorable to the plea; and the just operation of them would remove the grievance.

I cannot forbear remarking here, that by whatever religious test the clergy may think proper, (agreeably to what was just now hinted) to bind themselves, yet that, in cases purely civil, it is not congenial to the spirit of our constitution, properly understood, to introduce doctrines of theological import: they make no part of Magna Charta—no part in the Act of Settlement. For the introduction of doctrinal matters, as tests for the members of our universities, we are indebted to the authority of James I. who made so free with our constitutional liberties; and the Corporation and Test Oaths were not originally aimed against the Protestant dissenters, though afterwards applied to them.

And here it should be acknowledged, that the dissenters have not been defective in promoting the principles of the English constitution: their churches are often founded on principles not congenial with intellectual or religious liberty; but, as individuals, the dissenters are generally found favorable to civil.

This observation might be illustrated from the writings of the Puritans, who, from their first rise down to the Revolution, when they thought themselves aggrieved, were in the habit of appealing to the principles of the English constitution: thus Barrow, who suffered death in Queen Elizabeth's reign, for publishing a book, called *The Discovery of False Churches*, maintains in it, that "the High Commission Court was prejudicial to the prerogative of the free subject, and to the Great Charter of England;" and after the revolution, more to the same purpose may be seen in Mr. Pierce's *Vindication*, the second part of which goes exactly on Mr. Locke's principles of civil government. From the revolution to the present times, the public discourses of dissenters from the pulpit, as well as their other writings, have displayed their great zeal in propagating the same principles of the English constitution, as settled at the revolution; as witness the Salter's Hall Sermons, together with the numerous writings of Priestley, Price, and Robinson. Dr. Priestley wrote largely on the subject; Dr. Price's Essay on Civil Liberty was, some years ago, in almost every body's hands; and of Robinson's Political Catechism I should naturally take notice, (I have already alluded to it,) did not other of his writings breathe the same spirit.

As it is the duty of dissenters, in common with churchmen, to feel an interest in the fundamental liberties of their country, so, from the constitution of their churches, their ministers are fitted to disseminate them in the most deliberate, effectual, yet constitutional, way. And those who call themselves evangelical dissenters in opposition to others who call themselves rational, as they have an equal reason of attachment to their civil rights, have shown an equal zeal (and it is their duty) to propagate them. And they very lately saw the happy effect of that spirit which united them: I allude to the combination of ministers of all denominations—Calvinists, Ar-

minians, Socinians, and Methodists, for the purpose of maintaining one civil right, that of teaching their own doctrines according to their own pleasures. Here they united; and with the support of the leading men both in church and state, they carried their point. (a)

The ministers among the Quakers do not allow themselves to allude to political matters in their public discourses. But William Penn, if I am not mistaken, was occasionally a preacher; (for among this society, though they have property ministers or teachers, yet all may prophesy one by one.) he was at least a legislator and politician; and his writings aim to propagate the purest principles of English politics. (b) And, on considering that the Quakers enjoy some privileges peculiar to their own sect, and beyond what the other dissenters enjoy, they are laid under greater obligations: Let me add, that the peaceable deportment of the Quakers renders them peculiarly fitted for the propagation of the fundamental principles of our constitution: (c) for those principles are opposed to oppression and slavery, in all forms; their operation would unite different interests by one common tie, and in all their directions tend to promote liberty and peace; pure perennial springs, "the streams whereof," to borrow the language of the Psalmist, "would make glad the city of God."

Ought we, ought we, to overlook the Catholic clergy? or, while calling on them for the discharge of duties, should we be unprepared to do justice to their principles? The British Catholics of the present day differ as much in their politics from Bellarmine, Parsons, or Allen, the papists of former times, as the present clergy of the established church from the clergy in the reign of King James: and, as the latter no longer hold the *jura divina*,—the divine right of kings, neither do the former, the right of the Pope to dethrone kings, or to interfere in affairs of state. Their obedience to the Pope relates wholly to religious concerns. They are as hearty friends to the civil establishment of religion as the English established clergy; and, though differing from the dissenters as to the spiritual authority of the Pope, they agree with them in the separation of religious from civil power. These doctrines, though formerly maintained by the school divines, are now disclaimed by all sober Catholics: nor do the British Catholic clergy hold any doctrines as Catholics, which unqualify them for the propagation of the fundamental principles of our civil constitution, as Britons.

Indeed, for promoting those principles, Catholics of the United Kingdom have not only many reasons in common with others—they possess some peculiar to themselves: they are influenced by considerations of conscience, beyond any other part of the community. Their ancestors bound themselves by oath to these principles at the revolution: fifty thousand Catholics, with the bishops at their head, have pledged themselves to the principles of the revolution in 1688: and that revolution was grounded in those fundamental principles, not those principles on the revolution.

Dr. Alexander Geddes's political sentiments, intermingled with his biblical and theological writings, (d) are those generally avowed now by the English Catholics. Mr. Plowden has more professedly unfolded those principles in his *Jura Anglorum*, or Rights of Englishmen; and in his *Church and State*, or his Inquiry into the Origin, Nature, and Extent of the Ecclesiastical and Civil authority, with reference to the English Constitution, (e) he has discussed the whole Catholic controversy (he is a Catholic himself) on the subject; he has dilated on the fundamental principles of the English constitution; and has unanswerably proved, that the Catholics, both clergy and laity, are bound to them, both from choice and by oaths.

Catholics, then, are bound to be in earnest on this subject; their exclusion from offices of trust and public utility should increase their zeal: arguments arise on all sides for their enforcing the claims, and for our giving them a full hearing. They have repeatedly proved themselves both capable, as they are willing, to give the state a civil test, however they may choose, by a religious one, to bind themselves to the head of their church; for in Magna Charta, in the Act of Settlement (this cannot be too often repeated) and in their oath to the Protestant succession, there is nothing that can enslave (and this only is the feeling concerned in religion) their conscience. In the Catholic claims now making there is a voice which will be heard and felt; whatever be its immediate tendency, its ultimate end must be, to help forward the cause of civil liberty, the fundamental principle of the English constitution.

And here let Dr. Paley speak: "I would observe, however, that in proportion as the connexion between the civil and religious principles of the papists is dissolved, in the same proportion ought the state to mitigate the hardships, and relax the restraints, to which they are made subject." (f)

The opponents to Catholic emancipation are to be justified for speaking with horror of the faithless treaties and dreadful persecutions in former times. The ecclesiastical history of Africa, of Spain, of Rome, and Italy, (g)

(a) This bill was brought in by William Smith Esq. Member for Norwich.

(b) See his political tracts in his select works.

(c) Barclay, in his Apology for the Quakers, lays great stress on this argument in his Address to the King.

(d) I allude here only to the political opinions of Dr. G. as having been a Catholic clergyman.

(e) Book i. c. 9.

(f) A Defence of the Considerations on the Propriety of requiring Subscription to Articles of Faith, p. 26.

(g) For the abundant proofs of perfidy and cruelty in these countries (as well as in others), see Mr. Robinson's Ecclesiastical Researches, under the heads, Church of Africa—Church of Spain—Church of Rome—Church of Italy.



are full of blood. A more perfidious act than that against the Protestants of France, the revocation of the edict of Nantz, by Lewis the 14th, cannot be well conceived, nor a more unnatural and cruel one than oppression which followed it: and the excellent Claude, the advocate of the Protestants, has ably shown what just ground his party had for a separation; and the injustice of the Popish persecutions. But may not the Catholics rejoin? Was not Charles II. faithless, in violating the declaration of Breda for liberty of conscience? Were not the Episcopalians faithless to the Presbyterians, in directing acts against them, that were designed against Papists? Did the Parliament party keep faith with the Royalists? Then again, did not the Presbyterian party eject the Episcopalians, and imprison many of their most learned men? And in return, did not the Episcopalians eject 2000 non-conformist ministers from their livings, and imprison many of them? What shall we say of the penal laws against Papists? Was there not uniformly a persecution of Papists in Queen Elizabeth's, in James I.'s, in Charles I.'s, during the interregnum, and Charles II.'s reigns? If England has a martyrology to produce against Catholics, cannot Catholics, in their turn, produce a martyrology against England? (4)

In short, we should all take to ourselves shame, repentance, and confusion of face, for what has been wrong either in ourselves or our fathers, and former times be appealed to, only for matter of humiliation, and motives to reformation. "We have all gone in the way of Cain, who slew his brother." The evil has originated in intermingling religion with politics, in making our creed the badges of good citizens. Experience has shewn us the injustice, the cruelty, the fruitlessness of the project. Surely it became Protestants to have removed from them that great objection which was brought against the Reformation, "that it led to endless separation; (i) that it encroached on *principle* judgment, not less than that church which claimed perpetuity and infallibility,"—particularly, as France itself has set the example of a more complete liberty. Catholics and Protestants have alike been put in the furnace of affliction; they still feel the smart; and it is the nature of affliction to teach sorrow for sin, and love of justice. To come out of the furnace, with the pain without the purgation, will be to convert our afflictions into double guilt, our wholesome chastisements into permanent and dreadful judgments.

As to the instances, that may accidentally fall in our way, of a persecuting spirit in modern Papists, they can be made little use of, in a way of argument, though they may, of much just reprehension. Ignorance of civil liberty may be found among individuals of every community; and bigotry among those the most enlightened, humane, and free. But bodies of men are not responsible for their folly: would we keep millions of people disfranchised, to punish a handful of ideots?

If we might be permitted to exemplify the principles just laid down, as being those of modern Catholics, by an individual example, it should be in the conduct of the venerable M. Gregoire, the constitutional Bishop of Blois; and of him the rather, because he is a faithful and true Catholic, holding that great doctrine of the Catholics, that "out of the pale of the church there is no salvation." But what then? This is his point of faith. Let us hear him on civil matters. "I would say, as a Catholic to my Protestant brother, I believe thee to be in an error; my duty is to pity thee, to implore the Father of Light to illumine thee, and to do thee all the good in my power. As citizens our rights are equal; and, if in the case, for instance, of election to civil offices, I prefer an illiterate and immoral Catholic to an upright and intelligent Protestant, this partiality, which would oppress merit, and betray the interests of my country, would be a crime." Few have been more consistent advocates of civil and religious liberty in France and in England; in France against the impetuosity of the revolutionists; in favor of Protestants against Catholics in France; of Catholics against Protestants in England; and in favor of true civilisation and humanity over the whole globe: and, in his combining one series of arguments against the *Slave Trade* and Irish emancipation, there is something of shrewdness, as well as much justice and humanity, in the title of his book, "On the *Slave Trade*, and on the *Slavery of the Blacks and of the Whites*; by a *Friend of all Colors*."

In regard to others, those who belong to no Christian church, I am aware that the customs of society, even in cases which are wrong, are too apt to influence men as individuals. This is the reason why Christians are apt to overlook Jews, and others, in appeals of this kind. But there is no just ground for such neglect. When Christians are reasoning themselves into a sense of their rights, or *petitioning* for them, it should be with open arms: here is "neither Jew nor Gentile." It would be extremely difficult for any Christian sect, zealous in their own behalf, for civil and religious liberty, to give such an interpretation to this passage, "What ye would that men should do unto you, do ye so unto them;" yes! it would be extremely difficult, I say, if not impossible, to give such a passage any thing like an ex-

clusive sense; I mean an interpretation which might encourage a too appropriating spirit, a spirit of ascendancy authorising them to discountenance the natural, civil, and religious claims of any, whether Jew or Gentile, of their brethren of mankind.

Nor does it seem that any greater or more general considerations can be urged on others than on Christians, for pleading their natural rights, and for a due estimation of the advantages of a free government. The advantages of the British constitution belong to all: they should belong *equally* to all; and all equally should feel an interest in their support. "Am I not a man? am I not a Briton?" comes with as much propriety from the mouth of a Jew, as of a Christian. And Christians in this country, who pass such commendations on their constitution, should not leave their enemies to sing, (I speak in reference to the privileges of free-born citizens,)—

The year of jubilee is come,  
Return, ye exil'd wanderers, home.

Neither should Jew or Gentile, residing in a free country, be indifferent to its civil advantages; and where any indifference is found in those who should instruct them in the principles of liberty, there is the greater reason that they should inform themselves.

But, after all, let us not mistake:—not as Churchmen, or Dissenters, or as Quakers, or as Catholics, or Jew, or Gentile, simply considered, do men take the impulse of civil liberty: it is by knowing, by feeling their just rights, as men and citizens. Some of all parties are favorable to them: many know nothing about them, or are enemies to them. Theological opinions, too, we see, divide them into parties: it is therefore well ordained, that they should have common civil interests—some rallying points, round which all men should meet and consult together for the public good.

2. Next with respect to the nobility. The dignified station, the superior privileges, and extensive property of the nobles, tie them, by a link of interests, to the laws and constitution of their country: they are called to the discharge of the highest duties of public life. But, as a larger circle includes the less, when drawn from the same centre, so do the higher duties of life those of the lower. Nobles are only privileged citizens: and their zeal for the rights of citizens should be of equal celerity with that of zeal for the mere privileges of an order. Fundamental law is nearer the centre than accidental advantages and nominal distinctions. The noblest feelings of nobles are, to sympathise with the people: feelings they are, of magnanimity, not of self-degradation; feelings to which patriotism gives the impulse, and of which the result is liberty: not, I own, quite in harmony with Xenophon's adage (with which Montesquieu's sentiments seem to have corresponded)—"The nobles are favorable to nobles; the people take care of themselves."

As the nobles compose an estate of Parliament, the House of Lords is the sphere in which their principle exertions are seen, but not that to which only their influence extends. And how wide, and how deep, may that influence be spread, for purposes either bad or good! For let it be observed, though by nobles I here mean particularly the House of Peers, yet in that house I include such as sit there as peers of the realm, and those who sit there as councillors in matters of law; such as the judges of the Courts of King's Bench and Common Pleas, with other law-officers: together with such as sit there, whether it be as lords of parliament, or by the courtesy of parliament, I mean, the bishops.

Trial by a jury of their peers, is a right which belongs to all members of the community alike, lords as well as commoners; in this, as in a public bank, on which all may draw, all possess an equal interest; and while so many have conspired to corrupt it, pleasing it is to contemplate some of high rank who have shewn zeal to preserve its purity. For though its excellence depends not on their authority, yet the testimony of great men carries weight in cases which are often perplexed by artifices, or over-ruled by power. The duties and power of jurors have been well ascertained; their boundaries clearly marked out, by men of superior abilities, in our own times; and here and there, in different periods, we meet with noblemen, who have, rising like flowers over a spacious meadow, given fragrant testimony in favor of this fundamental of the English constitution. On this point Lord Somers distinguished himself, both by his public professions and occasional writings. On the same subject, Lord Camden bore a noble testimony to that side of the question, which may be called the popular, and which is certainly the true, side—I mean, which determines the right of a jury to determine on matter of *law*, as well as *fact*, and which takes in the *intention*. In our own time, also, Lord Stanhope and Lord Erskine have written most ably on it, and taken the same side.

Judges and crown-lawyers have, like bishops and crown-divines, been too much accustomed to encroach on the liberties of the people; and, as the latter have converted innocent opinions into heresies, the former have construed faithful testimonies, or accidental observations, into public crimes. Making their own pleasure, or precedents drawn from star-chamber, high commission, and the civil law courts, the rules of their proceedings, they acknowledged not the spirit, or trampled on the principles of the common law, the law of the land. I am now speaking more particularly of public libels. And what shall I say? To give some color to their own measures—to seem acting under the authority of a system which puts no restraint on power, they choose rather to maintain that we received all the law and constitution which we have at the point of William's sword, than to admit that Englishmen had any fundamental rights—any constitutional claim; as if all our property was to be received as an act of grace from the crown, and all justice as an act of grace from our courts of law.

(4) I have perused such a book, though I suppose it is extremely scarce: it of course could not be printed in this country; and I have never seen but one copy of it. It is intitled, *L'Histoire de Persécution présente des Catholiques en Angleterre, enrichée de plusieurs Réflexions, Morales, Politiques, et Chrétiennes, tant sur ce qui concerne leur guerre civile, que la religion*. Par le Sieur de Mar-say. With a table de martyrologe—1640—1641—1642—1643—1644. Let us observe too, this was under the Presbyterians.

(5) This argument was enforced by the celebrated advocate of the Catholics, Bossuet, in a conference with the Claude just mentioned: and Claude's biographer and admirer admits, that "the argument was urged home by the prelate, and lies unanswerd to this day." Robinson's *Life of Claude*, prefixed to his *Essay on the Composition of a Sermon*, p. 38.

Under this dereliction, even persecution of British principles, of what incalculable value has been the honorable testimony of men of high rank, and eminent in the profession of the law?—In unfolding the original and primordial qualities of our common law—the authority of parliaments—the rights of juries; in making an exposure of unconstitutional statutes—of the unconstitutional claims of ecclesiasticals—and the undue influence of crown law—who can doubt whether the testimony of Sir John Fortescue, Sir Edward Smith, Sir Edward Coke, and Sir Mathew Hale; and in later times, that of Mr. Daines Barrington, and Sir Michael Foster, have had great weight, not as oracles of law, whose opinions were to be received with implicit faith, but as great, no less than learned men, to whom some deference was due, and whose suggestions were felt in their influence? And who can doubt whether the evidence of men of high professional rank in modern times, on similar subjects, will produce similar effects on futurity? just as when waters come from an eminence, they flow on rapidly and, sparkling as they descend, are seen at a great distance.

Nor should the evidence of Blackstone be omitted: for though I cannot reconcile to fundamental principles what he says,—on the policy of receiving into our system some rules of the imperial and pontifical laws—on our religious liberties being fully established at the reformation—on our civil and political liberties being completely regained under Charles II.—on the effect of the Test and Corporation Acts—on the powers and rights of Juries—and on some few other points, ably illustrated by Dr. Farneaux; yet do his significant discriminations and open applauses, of what is to be admired in our constitution, carry considerable weight; and the blemishes alluded to, are perhaps rather to be referred to his professional bias, than his true British feelings. For when we fairly estimate the caution with which he often speaks, the concessions which he sometimes makes, the steps by which he evidently measures back, his exposure of the oppressions and alterations of our laws under William the Conqueror, together with his remarks on the solid improvements introduced by Magna Charta under King John, and by King Edward; when further, we perceive he admits, that “the royal prerogative was strained to a tyrannical and oppressive height under Harry VII.” even to the time of Charles II.; and that “our civil and religious liberties were not fully acknowledged till the revolution;—when all these matters are duly estimated; and when, above all, we consider the liberal statement made by him, of natural rights—of civil and religious liberties, as involved in the claims of the English constitution; when the import of such testimony from our able commentator on the laws of England is considered, we must take it as ample and full—as a well meditated eulogium on the principles of English liberty, in a more enlarged, extensive sense.

With respect to the legislative functions of the two houses of parliament, the reader is aware it is accounted essential that each should possess its distinct prerogatives—distinct privileges—distinct powers, as independent of the other; and that, as the higher house may not affect the independence of the lower in its legislative character, so, if any individual peer interrupts the purity of elections by bribery and corruption, he is liable to a severe fine. But a nobleman can use his influence for good, that is, constitutional purposes, as well as for unconstitutional, which would be for bad. Nor have we any magical power, either in church or state, that can prevent a nobleman, truly great, from moving in a wider circle than that of Xenophon's maxim,—“Nobles think only of nobles; the people will take care of themselves.”

I allude to a small work, written by a nobleman, the Earl of Halifax, intitled, *Cautions for the Choice of Parliament-men*. Its aim is to guard the elective franchise against every species of unconstitutional influence: it unites much closeness with much elegance, and is admirably calculated to promote the end for which it was written: it has accordingly been used, if I mistake not, by some members of both houses, for the most constitutional purpose,—to preserve freedom and purity of election: I at least recollect, it was so used by one member, who printed a large edition of the work for the purpose of distribution.<sup>(1)</sup>

But it is manifest that a nobleman, who could use this influence consistently, must forego that power, which by the same stroke destroys the elective franchise of thousands, and carries a shock to the House of Commons, which is felt through the whole body.

I am aware, (as I before observed) a modern writer says, “that if the saleable boroughs were annihilated, the disease of the constitution would be scarcely affected: the executive power will influence the houses of parliament, as it influences the houses of convocation.” The writer, however, does not avow that opinion as an apology for saleable boroughs; nor does any thing advanced by him affect my conclusion.<sup>(m)</sup>

3. I proceed next to consider the Prince Regent as an organ for transfusing the fundamental principles of the English constitution: for as no individual is so humble as to be below notice in this proposal, no individual should be considered so high as to lie beyond it. In civil society, every individual should feel his proper weight, and discharge his proper dues.

The writer last alluded to, observes, “that Machiavel would have a prince, who is ambitious of praise and immortality, choose for the scene of his glory, a state, that is corrupt and decaying, and to rectify and restore it.” He supposes this country to be at present in that state, and that the influ-

ence of certain proposals were intended for the mind of his Majesty, through the interposition of the heir apparent. He adds, “I should certainly not have proposed these thoughts as leading to a plan of reform, preferable to any requiring the interposition of the people, if I had not understood, that those high personages had been lately brought into numerous, affectionate, and confidential relations, by the circumstances of the times; and that the sentiments expressed by the prince are most becoming in respect to his royal parent, and most consoling to the people.”

The unfortunate malady of the king having interrupted this intercourse, it is unnecessary to inquire into its object, or its probable result; and knowing nothing of the subject beyond what that passage furnishes, I pass to the leading design of this essay.

It is unreasonable, it would be impertinent, to suppose, that a prince born to be one of the legislative organs, and the principal executive magistrate of a great empire, should have been so inattentive to the principles, on which its constitution is founded, and by which it is to be governed, and that an early bias should not have impelled his mind towards those studies from the writings of his tutor. (n) Who has so many interests, so many duties, and so many pleasures, involved in them, as the Prince of Wales? Who has possessed more opportunities for seeing the ruinous tendency of principles, opposing at once the more enlarged maxims of our English policy, and the laws of nations than the Prince of Wales? Who more reason to lament over that spirit of commercial despotism—that affectation of rule on the seas and over the continent—those unfounded presumptions of our shackling, monopolising system of trade, than the Prince of Wales? Who to perceive the occasion of that combination of European powers against us—a dark host of departed friends, like the Prince of Wales? Who to inquire into the failures of our best-concerted expeditions; the derangement, the entire disorganisation, of all our financial systems—bubbles floating in the air, bursting, and disappearing—like the Prince of Wales?

When we call that British politics, which is at variance with British principles—those politicians, patriots, who are merely lovers of themselves, it is only as we give things nicknames. He who should be able to unite the interests of this country with the peace and happiness of Europe, would be a true British prince, qualified to foster and promote the genuine principles of liberty through his own favored island.

England's boast is, her free constitution. All true Britons know this; but they also know, that a government by factions is not a free government, except as a nickname. A Prince Regent of Great Britain should not survey the country from the little Goshen of self-seeking politicians (to borrow an allusion of Locke's) surrounded with partial laws, and exclusive privileges. He is by his station placed on an eminence, and should survey the full prospect round: he should contemplate the different sections of society, earnest for their civil rights, as urging a just claim, as warned by an English spirit. And a prince, instrumental in their obtaining their due proportion of civil privileges, would, let us not say, be merely qualified to promote the principles of English liberty, he would by the very act do so; for, cemented as the different sections would instantly become by a common interest, there would flow out in a thousand directions, a light, which would at the same time transfuse truth and extinguish faction; while the prince himself would be considered as a central point—the source of original communication and constitutional knowledge.

4. As the king, in a constitutional sense, never dies, his personal malady does not affect this question: he exists in his two-fold capacity—as one of the estates of parliament, and as the supreme executive magistrate.

In his former capacity, the king can make no law—he can alter none. Each estate is independent of the other. Their separate movements, coalescing in one will, produce law: a power exceeding that just movement, is unconstitutional, and may be called influence—that more refined species of corruption, proclaimed to be essential to the English constitution. But I pass it, as an excrescence—no natural vital part of our body politic: I pass all the king's legislative function too, as that by which he has no right to act on the other estates of the realm.

By his executive power he may act—he must act, either for good or ill; and which ever impulse he takes, the effects cannot be calculated; for as from fountains proceed all the rivers and all the lakes that are so proudly conspicuous; and all the rivulets, and the brooks, and the rills, which take a more secret course; and as the reservoirs are supplied thence, administering both to the necessities and comforts of private life, so is the king, as supreme executive magistrate, the source of all executive power through the land; for he not only chooses his own counsellors and ministers, but all great officers of state—all the high functionaries of public trust, whether civil or ecclesiastical, or naval, or military; and in proportion as inferior officers originate in, and derive all their commissions from, higher, we see at once how the power of a supreme magistrate reaches all authorities, and pervades each portion of the community. Nor does it rest here; for though, as one of the estates of parliament, he exercises no legislative authority in the house of lords, yet he is the fountain of nobility, by his prerogative in creating peers. So wide is the royal power!—so unavoidable its extent!

How does a king of England promote the principles of English liberty? When, proceeding within the limits prescribed him by the constitution, he eyes its fundamental principles as the central point; not cutting and crossing our civil and religious liberties, but moving, as it were, in the same plane with them. Some of our kings, in arbitrary times, have given to their

(1) It was reprinted in 1802. The pamphlet is extracted from *Miscellanies*, by the Earl of Halifax, published in 1700.

(m) Preparatory Studies for Political Reformers.

(n) The late Bishop of Worcester's *Dialogues on the English Constitution*.



proclamations the force of laws; have overawed parliaments; and, as despot, have given laws,—communicating to the people, like evil spirits, delusions and lies: but a true English king proceeds in constitutional order; and moving in harmony with the other legislative powers, like a guardian angel, encourages, invigorates, and recommends all that is excellent in our constitution.

That "the king can do no wrong," in reference to the English constitution, is proved to be untrue by the principles avowed at the Revolution: as a political or legal maxim, every one understands what it means. In the right distribution of his confidence, and a judicious delegation of public trusts, consists the power of the supreme magistrate, in his executive character, to do extensive good; for, by choosing his counsellors and ministers according to their known regards to the religious and civil rights of the community, and by appointing such men to the higher departments of public offices as his representatives, he transfuses his own power of conveying, as through so many ducts, true constitutional instruction to the people: and as he himself is, constitutionally speaking, responsible to the people, so will he, if conscientious, hold himself answerable to his conscience to prevent all violent derelictions of public duties—to check all deviations from the constitution; for such a capacity, in numerous important instances, he possesses. Indeed, public functionaries in the higher departments in their ordinary course, naturally eye the ruling star, and by a sort of instinct are apt to go as that leads, whether it be the order of the constitution, or against it; and thus the inferior officers regard them. We should hear little of informations *ex officio* (which, however approved by Blackstone, are not constitutional,) and other ungracious practices in our courts of law, to say nothing of other matters, any more than we do of the unconstitutional procedures once followed in high-commission courts and star-chambers, if the supreme magistrate pointed right, in true constitutional splendor. Such a king, by his conscientious selections—by his judicious arrangements—by his steady, well-directed conduct, might be the means of preserving in its purity, what is good in our constitution—perhaps, of correcting its faults; he would possess, in the hearts of his people, a silent energy,—a powerful, virtuous, constitutional influence, which would communicate more knowledge, and produce happier effects, than the writings of all the royal authors, from the days of Harry the Eighth to the Revolution: he would blunt the edge of that sarcastic, but just remark, "that few kings reign;" and recal to the recollection of Englishmen, that they once possessed an Alfred.

May I venture to speak on a subject of rather a delicate nature, but, at the present moment, of the greatest consequence, and connected with the object of this appeal; involving as it does at once the nature of the coronation oath, and the claims of a numerous portion of the inhabitants of the United Kingdom? Is there any thing in the constitution of this country, which opposes the natural rights of mankind? any thing which opposes their just rights, as citizens? If there is, we may be sure it is wrong. Is there any thing in the coronation oath which opposes those claims? That oath, then, is wrong. Natural and religious rights are paramount to the obligations of civil magistrates.

But let us coolly weigh the matter: We have already observed, that neither is there in Magna Charta, nor in the Act of Settlement, any notice of those numerous speculative opinions, which have since divided the different religious sects. The Test and Corporation Laws were introduced, it is allowed, between two periods, for the purpose of excluding papists, as such, from civil offices; but, whatever may be said on the occasion of the introduction of such laws at first, the necessity for their continuance has ceased; and we do society and individuals "an injury," "however colored with the names, and pretences, and forms of laws," by continuing them; we do *bona fide* "declare war on the sufferers," and throw men back again to Mr. Hobbes's "state of nature," which he declares to be "a state of war," though we begin it. The modern catholics essentially differ from the old papists: they have proved themselves qualified to give a civil test "for their adherence to the Protestant Succession;" we have no right, therefore, to require, nor does the case require, a religious, sacramental test; and if the king, as one estate, in union with the other branches of the legislature, would not do his proper duties, we shall see, both with respect to catholics as well as other non-conformists, the truth of what Bishop Hoadley mentions,—"That non-conformity to a church established by human laws, cannot be in itself a certain sign to Christians of any want of a due concern for the peace of church and state." We give them civil tests, and to them even their religious binds; but by religious tests we confine the church; we divide the state; we are neither good churchmen, nor prudent politicians.

Our limits do not allow us to consider the nature of an oath at large. In the case now alluded to, the civil magistrate binds himself by an oath, to uphold the Protestant established religion. Why? Because it is the will of the majority. This was the doctrine acted on, at the revolution,—That the will of the people was the law of the state. At the Irish Union, as in the present times, very greatly the majority of the Irish nation was catholic, and they had then a parliament of their own. They agreed to the Union, with either a direct assurance, or liberal insinuations, that the claims of the majority would be attended to. This was their ready stock, *before the union*, and the implied bargain, well understood by both parties, when the union took place. To recede, therefore, from the condition, made under stipulations either expressed or implied, by the pretence of an oath, would be as contrary to the import of the oath originally administered, as to the stipulations afterwards made; in short, contrary to the principles acted on at the revolution. And it was, I apprehend, on observing this tergiversation, that some who spake zealously and admirably, at first, in favor of the Irish uni-

on, did afterwards repent of their zeal, and altered their opinion, when too late. And shall we now leave the catholics to say, at last, that we held out treacherous baits? or do we choose to call them constitutional doublers? And do we wish to leave the catholics under the imputation of civil credulity, and to take to ourselves the merit of a pious fraud?

But after all, what is the express language of this oath? what the point towards which it is directed? and what the construction put on it by the legislature itself.

The part of the coronation oath at the revolution more particularly under consideration, as the question is still put by the archbishop, and the answer returned by the king, "Will you, to the utmost maintain the laws of God, the true profession of the Gospel, and the Protestant reformed religion, established by law? And will you preserve to the bishops and clergy of this realm; and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain to them?"—King. "All this I promise to do."

This approaches very near in substance to that most ancient coronation oath administered to a Catholic King, Edward II. by the bishop of Winchester. Both relate to the civil establishment of religion: neither of them relates to doctrinal matters, any more than Magna Charta, or the Act of Settlement. I do not mean to deny that under William the Conqueror heresy and idolatry were crown pleas, nor that the act of supremacy now has religious power within the church; but it has none without it, either from the Gospel, the Christian code, or any fundamental law in civil society.

What are we to understand, what can we understand, by maintaining "the Protestant reformed religion, established by law" (with respect to those without the church,) but this, that the civil magistrate will give the established church his civil sanction—his religious profession (for he must be a protestant); that he will authorize provision for the regular clergy, and protect the temporalities, while it continues the will of the majority; for without this sanction, whence was our authority for altering our church, which, before it became Protestant, was Catholic? This is to preserve what have been called, the rights of an established church.

When it is said, "Will you, to the utmost of your power, maintain the Gospel, &c." what can it mean? Must it not mean all that he can constitutionally—all that, as a king, he is "able to do," as the old act expresses it? Must it not be necessarily so limited? and would we lay unconstitutional burdens on the supreme magistrate of the United Kingdom? Literally speaking, a king might write more religious treatises than Harry VIII. or James I. put together; and preach more sermons through England, Scotland, and Ireland, than George Whitfield; and yet not do all that was within his power.

And what has been the interpretation put by the legislature itself on the laws, and customs, and statutes, mentioned in the coronation oath? Have no laws been repealed since that coronation oath was administered at the revolution? Have not some religious points been conceded to Protestant Dissenters? Has not non-conformity been declared, by statute, to be no crime? Was not its cause, on that principle, openly maintained in the House of Lords, by an able lawyer, Lord Mansfield? Has not the same cause been zealously advocated in the House of Commons? What then is the sense put on the coronation oath by the legislature itself?

Further, kings of England, on their accession to the throne, have sworn to maintain the settlement, relating to acts that affect the established religions in England and Scotland; and yet two acts of the Scotch parliament were afterwards either altered or repealed; and one most material alteration was made, relating to the patronage of livings, which has been called a violation of the Union, and was brought forward by the enemies of the Protestant succession against the sense of the people of Scotland. What was then the import of these acts? Was it not that the alteration of statutes, of penal statutes, may be made, notwithstanding the coronation oath? And has not the legislature itself given a sanction to this doctrine?

It is greatly to be lamented, that Judge Blackstone should at all have spoken in favor of our penal laws, when it is evident, even to candor itself, that his better feelings flowed from a purer source. A constitutional king should distinguish, as constitutional lawyers do, a commentator on the laws of England looking towards the Bench. For Blackstone, when he wrote his Commentaries, was only looking to be a judge; and this is the true key to his inconsistencies.

Conscience is that secret council-chamber erected in the breast of man by the great Power that formed him—a mysterious vice-gency, that brings nigh to human beings that Presence, which fills the universe. Kings, as well as subjects, are under its dominion; and for their religious feelings and apprehensions are accountable to that tribunal alone. A king is bound by his religion, in his personal character, in *foro conscientia*, as much as a subject: a subject as much as a king. But, does a subject forego his civil rights by embracing religious opinions? Or can a king, in his political character, be released from his obligation to protect a citizen in his natural rights and civil privileges—that being the very end of political society,—the only just foundation of civil government? Liberty of conscience is very man's inalienable birth-right,—a franchise, of which no being on earth has a right to disinherit him; and for the peaceable enjoyment of which, he should forfeit none of the common advantages of civil society.

In short, to speak without reserve, every member of a civil state is, in matters purely religious, under the great Theocracy; and shall a feeble

local king, the magistrate over a few acres of ground, dethrone from his peculiar empire, the human conscience, the KING OF THE UNIVERSE?

It was lately hinted by a Prince of the Blood, in the House of Lords, that the unfortunate malady of a great Personage might, perhaps, be traced to the perplexities in which this question had placed him. What a hint to an heir-apparent to have done a splendid action! What a hint to that great personage, should he be ever restored!

6. As to the people at large, it should seem but a principle of moderation to say, that in a cause which concerns every individual, no individual should be wholly indifferent. For though individuals man ask, what good can we do? Yet, as it is reasonable that every man should know something of his birth-rights, it will be natural for him sometimes to talk of them. Is it not also agreeable? Is not love of liberty a natural passion? like all natural passions, is not the very feeling of it delight? and to converse about it, does it not refresh the spirits?

The liberty of the press is a scion of the good old tree of English liberty; and although liable to some luxuriance, it bears much wholesome fruit. True it is, it may be prurient, but it must not be lopped off. The printing itself has been the means of propagating some errors,—some absurdities,—some malignities; but by leading to truth and philosophy, it has been favorable to human happiness. And the liberty of the press, though that press may occasionally be licentious, is by its general tendencies naturally salutary, and more abundantly beneficial to mankind.

Thus the public papers, which may be considered as a kind of registers of the times, often lead mankind to much important truth; for, though they frequently subserve people's particular interests or passions, and lead far enough from liberty and truth, yet, when directed by wise and well-principled men, they conduct to much good,—they bring out much political information; and their very oppositions often produce elucidations. For as flint struck against steel elicits sparks, so do the contentions of writers, playing at cross-purposes with one another, often throw out a light which keeps the unprejudiced in the right way. The debates of the House of Commons, as reported in these papers, have the same tendency; for though they sometimes are at variance with the liberties of the country, and have sometimes more of gladiatorial prowess and violence, than of legislative dignity and principle, yet when men of generous, disinterested feelings bear testimony to the best principles of the constitution, their words, like seeds borne by the wind, and carried to a distant soil, are conveyed far and wide to many an unsophisticated heart; and taking deep root, they produce the most solid, evergrowing advantages.

Time would fail me to notice particular persons, who in their private capacities have felt agreeable employment in distributing useful pamphlets on the principles of English liberty, or to point out the worth of those pamphlets illustrated by them; but their ardor is entitled to much praise.

One example I cannot forbear noticing:—It is of a private gentleman who, after travelling in foreign countries, sat down quiet and delighted in his own;—*petit polacidan sub-liberate quietem*—and who, admiring the best principles of the English constitution, as unfolded in the political writings of Sidney, Milton, Marvel, and Locke, published them at his own expence. Portions of these were selected for a wider circulation. The complete copies were distributed among private friends, or deposited in various public libraries throughout England and Scotland. Nor was his zeal confined to his own country: copies of these works were conveyed, under his direction, and at his expence to public libraries in North America, in Holland, and Switzerland. A testimony this, worthy of a true Englishman, creditable to his nation, and highly honorable to himself,—beneficial to his own countrymen, and, no doubt, singularly beneficial to mankind at large. (o)

Societies have been formed with similar views, to convey constitutional information, more enlarged views of our representative system, and to support the liberty of the press: some composed of untitled citizens, others combining with them members of both Houses of Parliament. That effects proportioned to their wishes and plans were not produced, was owing, in part, to the interposition of government,—in part, to other causes not so obvious to a hasty survey. Shall we say that no good was effected? The full influence of useful truths, no less than of pernicious doctrines, is not to be calculated by immediate effects. It is not the mere depositing of seed in the bosom of the earth, which can cause it to grow: that seed takes a new place,—it must strike root,—undergo a chemical process by means of other bodies with which it comes into contact—and depends on other influences, independent of the power of individuals, or societies of agriculturists; what retards its growth, may perhaps strengthen its vital principle, and prepare it for a more peaceable issue. Such may be the issue. But shall man be confident? Blasts and mildews may scatter, or wither, his rising hopes suddenly.

Political societies are sometimes composed of men not united among themselves, and have to contend with other societies united against them all. Our condition, as a civil community, also, is not the best calculated to admit constitutional information. We are a rude mass,—a loose combination (if those words may be used together) of different interests,—of different religions, and different corruptions. Should government ever study the real interest of the community, as well as its own, it would unite its influence with such societies, should any such arise, for the perfection of our representative system. This once attained, we might boast of something like a perfect constitution. Understanding, perhaps, better than our Saxon ancestors, the nature and end of representation, we might learn much from

their wisdom in realising the plan: as, indeed, than their ancient division of England into tithings, hundreds, and counties, nothing was ever more admirably devised for mutual protection and confidence,—mutual justice and benevolence; and nothing would be better calculated for the destruction of all party spirit, and the propagation of constitutional knowledge. Happy for societies of men, if from their laws and government much of that rubbish was removed, in which the primitive truth, and the most salutary maxims, lie buried and almost forgotten! But let our spirits be erected, and let us be assured that if ever societies are *rightfully* restored, it must be by the exercise of reason, and the impartial administration of political justice. (p)

(p) Those who consider how the spirit of a government pervades every part of a nation, will see much truth in the observations, "that of all the modes of operating on the mind, government is the most considerable;" and again, "that it may be reasonably doubted, whether error could ever be formidable or long-lived, if government did not lend it support." *Godwin's Polit. Justice*, Book I. Ch. 4.

## New Poem.

*Peter Bell, a Lyrical Ballad, by Wm. Wordsworth,—London, 1819.*

This is another didactic little horror of Mr. Wordsworth's, founded on the bewitching principles of fear, bigotry, and diseased impulse. *Peter Bell* is a potter, who has rambled about the country, and been as wilful, after his fashion, as any Lake poet. His tastes indeed are different. He sees no beauty in mere solitariness, and is not alive to the abstract sentiment of a ditch: neither does he dance with daffodils. He is, in fact, a little over-social, chusing rather to dance with gypsies, and having had no less than a dozen wives. He is like the Friar in *Chaucer*; he

—Will drinke the liquor of the vine,  
And have a joly wenche in everie towne.

One day, however, losing himself in a wood, he meets with a stray jack-ass, who lies upon the ground by a river's side and looks mysterious. *Peter* has a royal contempt for inferior animals (not that the Poet so words it, but such is the fact), and belabours the poor jack-ass in a dreadful manner, till it groans and then looks into the water, and then at *Peter*. He looks in his turn, and in the water what does he see? This is a question which the Poet himself asks his Readers, putting a number of samples of horrid sights by way of help to their memories. Of course they cannot answer him; but it turns out, that one thing at least which *Peter* did see, was the corpse of a man newly drowned, the owner of the jack-ass. The animal's attachment makes the first impression on *Peter's* imagination; he sees him inclined to shew him the way to the deceased's house, and accordingly rides him thither, when he finds the widow and children bitterly lamenting. For the final impression resulting from this scene he is also prepared, as he rode along, by the sound of a Damnation Sermon, which a Methodist is vociferating from a chapel. The consequence is, that after a melancholy of eleven months, he is thoroughly reformed, and has a proper united sense of hare-bells and hell-fire.

Now all this, we conceive, is as weak and vulgar in philosophy as can be. It is the philosophy of violence and hopelessness. It is not teaching ignorance, but scourging it. If Mr. Wordsworth means to say that fear may occasionally do good, we grant it; but we say that nine times out of ten, it does harm, and is likely to make a man's after-thoughts desperate and resentful, and still oftener selfish and servile. The very hope of such things as Methodism is founded in hopelessness, and that too of the very worst sort,—namely, hopelessness of others, and salvation for itself. *Peter Bell* is an ill-taught blackguard. There is his whole history. The growth of such persons must be prevented by good and kind teaching. If they are suffered to grow up without it, and are then to be dosed with horrors proportioned to the strength of the disease inflicted on them, they have as much right to complain as any that suffer from them. It is no more incumbent on them to think themselves objects of God's anger (thus giving them a bad idea of God, as well as man) than it is on the most didactic of the Lake Poets to think himself wise and virtuous. The good old fable of the son who bit off his mother's ear at the gallows, is, and will ever remain, worth a thousand such stories.

We are really and most unaffectedly sorry to see an excellent poet like Mr. Wordsworth retreating, in vulgar despair, to such half-witted prejudices; especially when we meet with such masterly descriptions as the following. It is a portrait as true in the colouring as any of Mr. Crabbe's, and deeper thoughted.

A savage wildness round him hung  
As of a dweller out of doors;  
In his whole figure and his mien  
A savage character was seen,  
Of mountains and of dreary moors:  
To all the unshap'd half human thoughts  
Which solitary Nature feeds  
Mid summer storms or winter's ice,  
Had *Peter* join'd whatever vice  
The cruel city breeds.

His face was keen as is the wind  
That cuts along the hawthorn fence;  
Of courage you saw little there,  
But, in its stead, a medley air  
Of cunning and of impudence.



He had a dark and sidelong walk,  
And long and slouching was his gait;  
Beneath his looks so bare and bold,  
You might perceive, his spirit cold  
Was playing with some inward bait.

His forehead wrinkled was and furr'd;  
A work one half of which was done  
By thinking of his *whens* and *hows*;  
And half by knitting of his brows  
Beneath the glaring sun.

There was a hardness in his cheek,  
There was a hardness in his eye,  
As if the man had fix'd his face,  
In many a solitary place,  
Against the wind and open sky.

But what is to be said to the following Methodistical nightmare? It is part of the questions of which we spoke, when *Peter* sees the spectacle in the water.

Is it a fiend that to a stake,  
Of fire his desperate self is tethering?  
Or stubborn spirit doom'd to yell,  
In solitary ward or cell,  
Ten thousand miles from all his brethren?  
Is it a party in a parlour?  
Cramm'd just as they on earth were cram'd—  
Some sipping punch, some sipping tea,  
But, as you by their faces see  
All silent and all damn'd!

What pretty little hopeful imaginations for a reforming philosopher! Is Mr. Wordsworth in earnest or is he not, in thinking that his fellow-creatures are to be damn'd? If he is, who is to be made really better or more comfortable in this world, by having such notions of another? If not, how wretched is this hypocrisy?

Mr. Wordsworth, in the course of his mystic musings on *Peter*, has the following passage on a jackass's grin:—

Let them whose voice can stop the clouds—  
Whose cunning eye can see the wind—  
Tell to a curious world the cause  
Why making here a sudden pause,  
The Ass turn'd round his head—and grinn'd.  
Appalling process!—I have mark'd  
The like on heath—in lonely wood,  
And, verily, have seldom met  
A spectacle more hideous—yet  
It suited *Peter's* present mood.

Pray admire the way in which the poet first begs the question about a meaning in the ass's grin, and then calls upon those who "can see the wind" to disprove it. Surely the burden of the proof lies upon the ass's worthy spectator. We refer him however, if he still makes his call, to the Learned Pig.

Yet it is in this morbid spirit that Mr. Wordsworth writes, for the benefit of the world.

The poem is dedicated in an odd shy way, that has any thing but the look of sincerity, to "Robert Southey, Esq. P. L.", that is to say, (for Mr. Wordsworth has left it unexplained) not *Precious Looby*, but *Poet Laureate*. It has a Proem also, which the author thinks it necessary to inform us was written some years back,—about an aerial living Boat which he can ride if he chuses about the upper regions, but declines so doing for the benefit of the lower. There are fine passages in it, but Mr. Wordsworth should never affect vivacity. It leads him to expose himself in such unwieldy levities as these—

There's something in a flying horse,  
And something in a huge balloon:  
But through the clouds I'll never float  
Untill I have a little boat,  
Whose shape is like the crescent-moon.  
And now I have a little boat,  
In shape a very crescent-moon, &c.

The pamphlet concludes with three sonnets on some of Mr. Westall's landscapes. The first is a fine one, though running off into the old vein. The conclusion of one of the others is very melancholy, and would let us into the secret of Mr. Wordsworth's philosophy, if nothing else did. He forsakes the real cause of the world, and then abuses what he has injured. And yet this is he who would make us in love with the visible creation!

Vain earth!—false world! Foundation must be laid  
In Heav'n; for, mid the wreck of is and was,  
Things incomplete and purposes betrayed  
Make sadder transits o'er truth's mystic glass  
Than noblest objects utterly decayed.

Alas! Alas for the ci-devant patriots, and soi-disant philosophers!—We happen to write this article on the First of May; and thanks to greater poets than Mr. Wordsworth, and to the nature whom he so strangely recommends, can enjoy the beautiful season on earth, without thinking the less hopefully of heaven.

## Another Peter Bell.

There have been lately advertised two books, both *Peter Bell* by name: what stuff one of them was made of, may be seen by the motto,—“I am the real Simon Pure.”—This false Florimel has hurried from the press, and obtruded herself into public notice, while, for ought we know, the real one may be still wandering about woods and wildernesses. Let us hope she may soon appear, and make good her right to the Magic Girdle.

The pamphleteering Archimage, we can perceive, has rather a splanetic love, than a downright hatred, to real Florimels; but he has, it seems, a fixed aversion to those three rising Graces, Alice Fell, Susan Gale, and Betty Foy; and now especially to Peter Bell, the fit Apollo.

It is plainly seen by one or two passages in this little skit, that the writer of it has felt the finer parts of Mr. Wordsworth's poetry, and perhaps expatiated with his more remote and sublimer Muse. This as far as it relates to *Peter Bell*, is unlucky: the more he may love the sad embroidery of the *Excursion*, the more will he hate the coarse samples of Betty Foy and Alice Fell; and, as they come from the same hand, the better will he be able to imitate that which we see can be imitated, to wit, *Peter Bell*, as far as that hero can be imagined from his obstinate name. We repeat, it is very unlucky: this Simon Pure is in points the very man: there is such a pernicious likeness in the scenery, such a pestilent humour in the rhymes and such an inveterate cadence in some of the stanzas. If we are one part amused with this, we are three parts sorry that any one who has any appearance of appreciating Wordsworth, should show so much temper at this really provoking name of *Peter Bell*.

The following are specimens of the Preface and the Poetry:—

It is now a period of one-and twenty years since I first wrote some of the most perfect compositions (except certain pieces I have written in my later days) that ever dropped from poetical pen. My heart hath been right and powerful all its years. I never thought an evil or a weak thought in my life. It has been my aim and my achievement to deduce moral thunder from buttercups, daisies (a), celandines, and (as a poet, scarcely inferior to myself, hath it) “such small deer.” Out of sparrows' eggs I have hatched great truths, and with sextons' barrows have I wheeled into human hearts, piles of the weightiest philosophy.

My Ballads are the noblest pieces of verse in the whole range of English poetry: and I take this opportunity of telling the world I am a great man. Milton was also a great man. Ossian was a blind old fool.

He hath a noticeable look (b)  
This old man hath—this grey old man;  
He gazes at the graves, and seems,  
With over waiting, over wan,  
Like Susan Harvey's (c) pan of cream:  
Tis Peter Bell—'tis Peter Bell,  
Who never stirreth in the day;  
His hand is wither'd—he is old!  
On Sunday he is us'd to pray,  
In winter he is very cold (d).

I've seen him in the month of August,  
At the wheat-field, hour by hour,  
Picking ear,—by ear,—by ear,—  
Through wind,—and rain,—and sun,—and shower,  
From year,—to year,—to year, to year.

You never saw a wiser man,  
He knows his Numeration Table:  
He counts the sheep of Harry Gill (e),  
Every night that he is able,  
When the sheep are on the hill.

Betty Foy—My Betty Foy,  
Is the aunt of Peter Bell;  
And credit me, as I would have you,  
Simon Lee was once his nephew,  
And his niece is Alice Fell (f).

He is rurally related;  
Peter Bell hath country cousins;  
(He had once a worthy mother)  
Bells and Peters by the dozens,  
But Peter Bell he hath no brother:

Not a brother owneth he,  
Peter Bell he hath no brother;  
His mother had no other son,  
No other son e'er call'd her mother;  
Peter Bell hath brother none.

(a) A favourite flower of mine. It was a favourite with Chaucer, but he did not understand its moral mystery as I do.—“Little Cyclops, with one eye.”—*Poems by me*.

(b) “A noticeable man with large grey eye.”—*Lyrical Ballads*.

(c) Dairy maid to Mr. Gill.

(d) Peter Bell resembleth Harry Gill in this particular:

“His teeth they chatter, chatter, chatter.”

I should have introduced this fact in the text, but that Harry Gill would not rhyme. I reserve this for my blank verse.

(e) Harry Gill was the original proprietor of Barbara Lewthwaite's pet-lamb, and he also bred Betty Foy's celebrated poney, got originally out of a Night-mare, by a descendant of the great Trojan horse.

(f) Mr. Sheridan, in his sweet poem of the Critic, supplies one of his heroes with an singularly clustering a relationship.

## THE Poetry.

## TRANSLATION OF HOR I. 34.

"Quis desiderio sit pudor," &amp;c.

TO VIRGIL.

Yes! I will mourn! I care not, I,  
 Who sees me weep, who hears me sigh.  
 And weep, thou Muse, to whom belong  
 The tragic harp—the mournful song!  
 And is our lov'd Quintilian gone?  
 Whom Faith and Honor mark'd their own?  
 Dear to Truth and Justice he,  
 And, sweetest Virgil, dear to thee.  
 And is he gone?—if this betide  
 Would he had never lived, or died.  
 Tho' than Orpheus sweeter thou  
 Canst charm the laurel to thy brow,  
 Yet cruel fate will ne'er restore  
 Our lost friend from the Stygian shore—  
 We meet again, but till that day  
 Must bear our sorrows as we may.

## LINKS TO J. W. CROKER, ESQ.

Ere Persia's vase the Altar's sweets distills,  
 Plucked are the roses of a thousand hills;  
 From distant realms the treasured bloom is brought  
 And with an empire's sweet each drop is fraught;  
 And, ere the master of the Grecian art  
 Could to his loveliest work its grace impart,  
 He, 'midst Ionia's nymphs, his search pursued,  
 Their smiles he treasured, and their loves he wooed:  
 Blended their beauties for his Paphian throne,  
 Where in one form the charms of thousands shone,  
 —Dear CROKER, thus to grace thy wondrous mind,  
 Unnumbered merits favouring Heaven combined—  
 From various climes thy various merits come,  
 Some foreign grown, and some matured at home:  
 From France, that soul on moral reasoning bent;  
 From Belgium, wit by bright Clancarty sent:  
 From the damp vallies of thy native shore,  
 Thy blushing modesty, thy classic lore;  
 Thy generous love of liberty from Spain;  
 Thy taste from realms beyond the western main;  
 From the bold sons of fair Italia's clime,  
 Thy manly strength and energy sublime:  
 Thy charity from Algier's sandy vales;  
 Thy frankness, spirit, truth, from New South Wales.

## ODE TO QUID PRO QUO.

Hail Quid pro Quo, mysterious power,  
 Dear arbitrary sin,  
 Lord of the Senate, Court and Bower,  
 Divinity of Q—N!

Tho' metaphysical above  
 Thou'rt tangible below,  
 Thou rul'st both PRIVILEGE and LOVE,  
 Eternal Quid pro Quo!

When seeks the lazy oyster-wench  
 Narcotic fumes to blow,  
 She buys tobacco by the inch,  
 And gets a Quid—pro Quo.

When C— on precieved distress'd,  
 That votes were waxing low,  
 He gave a right to plunder th' east,  
 And got a Quid—pro Quo.

His pupil, Q—N, soon took the hint  
 From C— and Co.,  
 And in plain terms declared the meat  
 To trade on Quid—pro Quo.

This trade has since been legalis'd,  
 As journals clearly shew,  
 By Senators, who ne'er despis'd  
 To take their Quid—pro Quo.

In vain your soul, on love when set,  
 At Beauty's feet you throw;  
 But drop your purse and straight you get  
 A lovely Quid—pro Quo.

Then hail again, mysterious Power!  
 Thou Autocrat below!  
 Lord of the Senate, Court and Bower,  
 Eternal Quid pro Quo!

## Dancing.

(From a Critique on the Italian Opera, in the Examiner of May 9, 1819.)

Yesterday after the *Barbieri di Seviglia*, which we enjoy more and more at every hearing, M. Duport, the most celebrated dancer on the French stage, and therefore supposed to be the finest in Europe, made his first appearance in this country. The ballet, which is called *Adolphus and Matilda*, or the *Power of Love*, and which has been repeated every evening since, is one of his own invention; and shews us how the hero, who is represented by himself, learnt to dance in a manner surpassing any one else, by the force of affection for his mistress, who teaches him. The lady is performed by Madame Duport, who made her first appearance at the same time. It is pleasant to see husband and wife uniting thus in tastes, talent, and reputation; but perhaps there is a little deficiency of modesty in the ballet-master's thus making himself the hero of such a story, and appropriating perfections to himself, even when allowed.

In one of the scenes, where the ordinary dancing-master is teaching him, and getting astonished at his wonderful progress, which outsteps himself, the delighted Pedagogue dashes down his hat in a transport of admiration, and rushes into his pupil's arms. Now this is a very unequivocal note upon a text somewhat disputable.

Mr. Duport, it is true, is a very clever dancer, and we have no doubt stands with equal justice and muscle at the head of the French school of dancing;—his twirl, perhaps, is not so contiguous as that of Vestris or Baptist; neither does he treat us with any specimen of such grace as the latter does in his performance of Zephyr; but the muscles of his calf and face are equally inflexible; he comes down upon his foot, after a spring, like a leaden statue of Mercury; and the rapid manner in which he twinkles and jerks his leg is really astonishing. Nothing under the application of twenty bodkins, we should suppose, could make even another dancer shiver his precious limb about with so dazzling a vibration.—But, where is grace? Where is an ease truly elegant? Where is the likeness of any thing pleasing and natural? In short, where is the meaning? An art without a meaning is a strange business. Dancing, like every other art, should have a reference to nature; and it has, wherever it is properly performed.

The Romans, like some of the islanders in the Eastern ocean, had war-dances. Barbarous nations have also dances expressive of their various occupations, particularly hunting. We are not recommending imitations of these, which are hardly proper for so cheerful and gentle an art; but there is one custom prevalent all over the world, and full of meaning which is the usual subject of dancing, and which professes to be that of the piece before us. It is making love.

Now what has this vaulting and twirling and above all, this insipidity of countenance and rapidity of leg to do with love? All dancing has passages in common; it cannot help it; but the peculiar marks and even boasts of a French dancer are things which have no reference whatever to any thing either courteous or natural;—he balances himself, he hangs his arms like incumbrances, he moves them about merely to make the beat of the incumbrance, he plants his face stiffly, he fixes his body like a statue, he aways it about on his centre like a pivot, he stops, he quivers his foot about his other ankle with the most ridiculous no-meaning, he stops again, he begins lifting up his leg as slowly and delicately as if it was sore, he dangles it a little from his knee-pan, and then looking grand and conclusive he lets it out at full length from his side, as if he were making some invisible person a present of it; finally, he spins about as if he were shot, and all of a sudden stops full bolt in front of you, upon one leg, as if his foot were nailed to the ground. In the name of common taste and sense, what has all this to do with grace and nature. Again we ask, what is the meaning?

To us, it appears only a substitution of activity for feeling, of physical strength for intellectual elegance, nay, even of pain for pleasure. Some of the French dancers would undoubtedly do better, were they taught a better style. Milan is often extremely graceful and touching; and little Lefevre, with her smile, appears to have a proper sense of the nature of dancing, in spite of her teachers. But our description, and it is not an exaggerated one, is true of the French school of dancing in general, which at present stands at the head of all others, not because it is best, but because it is a fashion. We suspect that the Italian is the true one.

Count Stendhal, in the very entertaining work from which we lately quoted a passage about Rossini, speaks very handsomely of M. Duport, but rather as an old acquaintance whom he had a habit of admiring, than as a dancer whom he could approve on reflection. His preference is evidently for the style of Marianna Conti, an Italian, between whom and Duport, he says, "the perfection of dancing lies;" that is to say, the Frenchman has the mechanical power, and the fair Italian the sentiment. We wish Mr. Waters would enable us to compare them.—By the bye, what would the Greeks, the arbiters of all elegance, have thought of such dancers as the French. They would have infallibly have taken them for a parcel of unaccountable quiet-faced men and women, who had scalded their legs.

Madame Duport is a pretty-looking woman, and a good dancer of her husband's school. M. Duport is rather short though well made, and has an earnest and not unpleasing though not handsome face. His quickness of execution is certainly astonishing, that is to say, when he favours us with it; for after all, he does not lavish even that; and the ballet, which is altogether one of the most tiresome we ever saw, is chiefly occupied with movements not at all uncommon in any way. Some of the female groupings at the end are pleasing.